

Express Mail No.: EV331981814US  
Docket No.: NUVO-07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT APPLICATION TRANSMITTAL UNDER 37 CFR 1.53

MAIL STOP SEQUENCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of:

Title: **METHODS OF THERAPY AND DIAGNOSIS USING TARGETING OF  
CELLS THAT EXPRESS P2Y10**

Inventor(s): Peter C. R. EMTAGE


- Applicant(s) hereby request(s) that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Applicant(s) suggest(s) Figure   \* for inclusion on the front page of the patent application publication and patent.

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**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this correspondence and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **August 25, 2003**, in an envelope addressed to: Mail Stop SEQUENCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EV331981814US.

  
Annya Dushine

**1. Type of application**

- This application is a continuation-in-part of U.S. Application Serial No. 10/304,234, filed November 26, 2002, entitled "Methods of Immunotherapy and Diagnosis", Attorney Docket No. HYS-67, which is a continuation-in-part of U.S. Application Serial No. 10/128,558, filed on April 22, 2002, entitled "Novel Nucleic Acids and Polypeptides", Attorney Docket No. 812A, which in turn claims the benefit of U.S. Provisional Application Serial No. 60/339,453, filed on December 11, 2001, entitled "Novel Nucleic Acids and Polypeptides", Attorney Docket No. 812. These and all other U.S. Patents and Patent Applications cited herein are hereby incorporated by reference in their entirety.
- Applicants claim small entity status (See 37 CFR 1.27).

**2. Application Papers Enclosed**

- 1 Title Page
- 81 Pages of Specification (excluding Claims, Abstract and Drawings)
- 4 Page(s) of Claims
- 1 Page(s) of Abstract
- 1 Sheet(s) of Drawings (Figure 1)      ● Formal    ○ Informal
- 5 Page(s) of Sequence Listing

**3. Oath or Declaration**

- An executed declaration of the inventor(s) is enclosed.
- Unexecuted – the undersigned attorney or agent is authorized to file this application on behalf of the applicant(s). An executed declaration will follow.

**4. Additional Papers Enclosed**

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Declaration of Biological Deposit
- ☒ Computer readable copy of sequence listing containing nucleotide and/or amino acid sequence (1 CD-ROMs)
- ☒ Paper copy of sequence listing containing nucleotide and/or amino acid sequence (5 pages)
- ☒ Statement Regarding Sequence Listing Under 37 CFR §1.821(f)
- ☒ Statement under 37 CFR §1.52(e)(3)
- ☒ Assignment Document with Assignment Recordation Cover Sheet
- ☐ A bibliographic data entry sheet
- ☐ Verified translation of a non-English patent application
- ☒ Return receipt postcard
- ☐ Other

**5. Priority Applications Under USC 119**

Certified copies of applications from which priority under 35 USC 119 is claimed are listed below and

- ☐ are attached.
- ☐ will follow

**6. Filing Fee Calculation (37 CFR 1.16)**

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$375.00		\$750.00
TOTAL	19-20	= 0	X 9 =	\$0.00	X 18 =	\$0.00
INDEP.	11-3	= 8	X 42 =	\$336.00	X 84 =	\$0.00
First Presentation of Multiple Dependent Claim			+ 140 =	\$140.00	+ 280 =	\$0.00
FILING FEE:				\$851.00	OR	\$0.00

**D. Other fees**

- Recording Assignment [Fee -- **\$40.00** per assignment] \$ 40.00
- Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached [Fee -- **\$130.00**] \$ \_\_\_\_\_

**TOTAL FEES ENCLOSED \$ 891.00**

**7. Method of Payments of Fees**

- Enclosed check
- Charge Deposit Account No. 501169. A duplicate copy of this transmittal is enclosed

8. **Deposit Account and Refund Authorization**

- The Commissioner is hereby authorized to charge payment of any additional fees due or credit any overpayment to Deposit Account No. 501169. A duplicate copy of this transmittal is enclosed.

Please direct all future correspondence to Elena Quertermous at the address below.

Respectfully submitted,

Date: August 25, 2003

By: 

Elena Quertermous, Ph.D.  
Agent for Applicants  
Registration No. 47,873  
**Customer No. 34285**  
NUVELO, Inc.  
675 Almanor Avenue  
Sunnyvale, CA 94085  
Tel.: (408) 215-4000  
Fax: (408) 524-8145

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant(s): Peter C.R. Emtage**

**Serial No: Not yet assigned**


**Filed: August 25, 2003**

**For: METHODS OF THERAPY  
AND DIAGNOSIS USING  
TARGETING OF CELLS  
THAT EXPRESS P2Y10**

**CERTIFICATE OF MAILING  
UNDER 37 CFR 1.10**

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Person signing Certificate: Annya Dushine

  
Signature of Person Mailing

**STATEMENT UNDER 37 CFR §1.52(e)(3)**

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P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby state the material on the paper copy and the compact disc contain the file named "Seq List.ST25.txt", were created on an IBM PC, Windows 2000 operating system on August 25, 2003 and contains a size of 9.29 KB (9,523 bytes).

Respectfully submitted,

Dated: August 25, 2003

By: 

Elena Quertermous, Ph.D.

Agent for Applicants

Registration No. 47,873

**Customer No. 34285**

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